



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/809,581 | 03/16/2001 | Leo J. Campbell | 08049.0005 | 5903 |

22852 7590 12/10/2007
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

| |
|----------|
| EXAMINER |
|----------|

BRUCKART, BENJAMIN R

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

2155

| | |
|-----------|---------------|
| MAIL DATE | DELIVERY MODE |
|-----------|---------------|

12/10/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/809,581

Applicant(s)

CAMPBELL ET AL.

Examiner

Benjamin R. Bruckart

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-27, 50-59, 69, 70, 76, 77, 79, 81, 83-86 and 88-91 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-27, 50-59, 69, 70, 76, 77, 79, 81, 83-86 and 88-91 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

Claims 18-27, 50-59, 69, 70, 76, 77, 79, 81, 83-86, 88-91 are pending in this Office Action.

Claim 88 is amended.

Claims 1-17, 28-49, 60-68, 71-75, 78, 80, 82, 87 remain cancelled.

The claim objection on claim 88 is withdrawn based on applicant's amendment.

Response to Arguments

Applicant's arguments filed 10/19/07 have been fully considered but are found not persuasive. See remarks below.

Applicant's invention as claimed:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 18-20, 22, 50-52, 54 and 55-57, 59, 69 and 76; 79, 86 are rejected under 35 U.S.C. 103(a) as being unpatentable by U.S. Patent Publication No. 2002/0002590 by King et al in view of U.S. Patent No. 5,341,505 by Whitehouse.

Regarding claim 18, the King reference teaches a method for delivering a message to a user with an electronic account (King: pages 1-2, para 18-20), comprising the steps of:

receiving the message directed to the user with the electronic account (King: pages 1-2, para 18-20), where the message includes an electronic address associated with the user's

Art Unit: 2155

electronic account and a non-standardized physical address of the user (King: page 2; para 22-23);

determining a standardized physical address of the user from the electronic address using an address database (King: page 2, para 22-23); and

delivering the message to the user (King: page 2, para 22-23, 30),

The King reference fails to teach 9 digit zip codes.

However the Whitehouse reference teaches using a non-standardized physical address includes a 5-digit ZIP code to get a standardized physical address includes a 9 digit ZIP code (Whitehouse: col. 5, lines 67- col. 6, line 5; col. 2, lines 43-49) in order to further identify the destination address (Whitehouse: col. 2, lines 50-60).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the method for delivering a message as taught by King to include standardizing zip codes with zip+4 codes in order to further identify the destination address.

Regarding claim 19, the method of claim 18, further comprising the step of: delivering the message to the user at the electronic address (King: page 2, para 30).

Regarding claim 20, the method of claim 18, further comprising the step of: delivering the message to the user at the standardized physical address (King: page 2-3, para 31-32).

Regarding claim 22, the method of claim 18, wherein the address database is a United States Postal Service address database (King: page 2, para 22).

Claims 50-52, 54, 69 and 76 are rejected under the same grounds as being substantially similar in subject matter and scope.

Regarding claim 79, the King reference teaches a method for delivering a message to a user with an electronic account (King: pages 1-2, para 18-20), comprising the steps of:

Art Unit: 2155

receiving the message directed to the user with the electronic account (King: pages 1-2, para 18-20), where the message includes an electronic address associated with the user's electronic account and a non-standardized physical address of the user (King: page 2; para 22-23);

determining a delivery point identification key using the electronic address, wherein the delivery point identification key points to a location in an address database, the location associated with a standardized physical address of the user (King: page 2, para 20-23); and

delivering the message to the user at the standardized physical address, the delivering based on the delivery point identification key, wherein the non-standardized physical address.

The King reference fails to teach 9 digit zip codes.

However the Whitehouse reference teaches using a non-standardized physical address includes a 5-digit ZIP code to get a standardized physical address includes a 9 digit ZIP code (Whitehouse: col. 5, lines 67- col. 6, line 5; col. 2, lines 43-49) in order to further identify the destination address (Whitehouse: col. 2, lines 50-60).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the method for delivering a message as taught by King to include standardizing zip codes with zip+4 codes in order to further identify the destination address.

Regarding claim 86, the King reference teaches a system for delivering a message to a user with an electronic account (King: pages 1-2, para 18-20), comprising:

a receiving component configured to receive the message directed to the user with the electronic account (King: pages 1-2, para 18-20), where the message includes an electronic address associated with the user's electronic account and a non-standardized physical address of the user (King: page 2; para 22-23); and

a determining component configured to determine a delivery point identification key using the electronic address, wherein the delivery point identification key points to a location in an address database, the location associated with a standardized physical address of the user (King: page 2, para 20-23) ; and

delivering the message to the user at the standardized physical address, the delivering based on the delivery point identification key, wherein the non-standardized physical address.

The King reference fails to teach 9 digit zip codes.

However the Whitehouse reference teaches using a non-standardized physical address includes a 5-digit ZIP code to get a standardized physical address includes a 9 digit ZIP code (Whitehouse: col. 5, lines 67- col. 6, line 5; col. 2, lines 43-49) in order to further identify the destination address (Whitehouse: col. 2, lines 50-60).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the method for delivering a message as taught by King to include standardizing zip codes with zip+4 codes in order to further identify the destination address.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 23-25, 27, 55-57, 59, 70 and 77; 81, 85, 88, 90-91 are rejected under 35 U.S.C. 102(e) as being unpatentable by U.S. Patent Publication No. 2002/0002590 by King et al.

Regarding claim 23, the King reference teaches a method for delivering a message to a user with an electronic account (King: pages 1-2, para 18-20), comprising the steps of:

receiving the message directed to the user with the electronic account (King: pages 1-2, para 18-20), where the message includes a non-standardized electronic address of the user and a physical address of the user (King: page 2; para 22-23);

determining a standardized electronic address of the user from the physical address using an address database (King: page 2, para 22-23); and

delivering the message to the user (King: page 2, para 22-23, 30).

Art Unit: 2155

Regarding claim 24, the method of claim 23, further comprising the step of: delivering the message to the user at the standardized electronic address (King: page 2, para 30).

Regarding claim 25, the method of claim 23, further comprising the step of: delivering the message to the user at the physical address (King: page 2-3, para 31-32).

Regarding claim 27, the method of claim 23, wherein the address database is a United States Postal Service address database (King: page 2, para 22).

Claims 55-57, 59, 70 and 77 are rejected under the same grounds as being substantially similar in subject matter and scope.

Regarding claim 81, a method for delivering a message to a user with an electronic account (King: pages 1-2, para 18-20), comprising the steps of:

receiving the message directed to the user with the electronic account (King: pages 1-2, para 18-20), where the message includes a non-standardized electronic address and a physical address of the user (King: page 2; para 22-23); and

determining a delivery point identification key using the physical address, wherein the delivery point identification key points to a location in an address database, the location associated with a standardized electronic address of the user (King: page 2, para 20-23) and

delivering the message to the user at the standardized electronic address, the delivering based on the delivery point identification key (King: page 2, para 22-23, 30).

Regarding claim 85, the method of claim 81, wherein the standardized electronic address includes a vanity e-mail address (King: page 2, para 22).

Regarding claim 88, a system for delivering a message to a user with an electronic account (King: pages 1-2, para 18-20), comprising:

Art Unit: 2155

a receiving component configured to receive the message directed to the user with the electronic account (King: pages 1-2, para 18-20), where the message includes an non-standardized electronic address of the user and a physical address of the user (King: page 2; para 22-23); and

a determining component configured to determine a delivery point identification key using the physical address, wherein the delivery point identification key points to a location in an address database (King: page 2, para 20-23),

the location associated with a standardized electronic address of the user (King: page 2, para 22); and

a delivering component configured to deliver the message to the user at the standardized electronic address, the delivering based on the delivery point identification key (King: page 2, para 22-23, 30).

Regarding claim 90, the system of claim 88, wherein the standardized electronic address includes a telephone number (King: page 2, para 22).

Regarding claim 91, the system of claim 88, wherein the standardized electronic address includes a vanity e-mail address (King: page 2, para 22).

Claims 21, 53 are rejected under 35 U.S.C. 103(a) as being unpatentable by U.S. Patent Publication No. 2002/0002590 by King et al in view of U.S. Patent No. 5,341,505 by Whitehouse in further view of U.S. Patent No. 5,341,505 by Whitehouse.

Regarding claim 21, the King and the '505 reference teach the method for delivering a message to a user with an electronic account.

The King and '505 references does not explicitly state sending back information of a standardized physical address.

However the Whitehouse reference teaches sending back information of a complete physical address (Whitehouse: col. 6, lines 52-58) in order to providing quick, easy, and low cost lookup for complete address information (Whitehouse: col. 5, lines 57- col. 6, line 5).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of delivering a message as taught by King to include informing the sender of a complete address as taught by Whitehouse in order to remove the last barrier for automation providing quick, easy, and low cost lookup for complete address information (Whitehouse: col. 5, lines 57- col. 6, line 5).

Claim 53 is rejected under the same grounds as being substantially similar in subject matter and scope.

Claims 26, 58 are rejected under 35 U.S.C. 103(a) as being unpatentable by U.S. Patent Publication No. 2002/0002590 by King et al in view of U.S. Patent No. 5,341,505 by Whitehouse.

Regarding claim 26, the King reference teaches the method of claim 23.

The King reference does not teach informing the sender of the complete electronic address. However the Whitehouse reference teaches informing the sender of the standardized electronic address (Whitehouse: col. 6, lines 52-58) in order to providing quick, easy, and low cost lookup for complete address information (Whitehouse: col. 5, lines 57- col. 6, line 5).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the system of delivering a message as taught by King to include informing the sender of a complete address as taught by Whitehouse in order to remove the last barrier for automation

providing quick, easy, and low cost lookup for complete address information (Whitehouse: col. 5, lines 57- col. 6, line 5).

Claim 58 is rejected under the same grounds as being substantially similar in subject matter and scope.

Claims 83 and 89 are rejected under 35 U.S.C. 103(a) as being obvious by U.S. Patent Publication No. 2002/0002590 by King et al.

Regarding claim 83, the King reference teaches the method of claim 81. The King reference fails to teach fax numbers. However, the King reference teaches telephone numbers and messages routed to a printer so that the user can receive a hardcopy (King: page 3, para 32)

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the method of delivering messages as taught by King to include a facsimile number in order to provide the user with a hardcopy (King: page 3, para 32)

Regarding claim 89, the King reference teaches the system of claim 88. The King reference fails to teach fax numbers. However, the King reference teaches telephone numbers and messages routed to a printer so that the user can receive a hardcopy (King: page 3, para 32)

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the method of delivering messages as taught by King to include a facsimile number in order to provide the user with a hardcopy (King: page 3, para 32).

REMARKS

Applicant has address a minor issue with claim 88 and presented arguments over the cited part.

The Applicant Argues:

The 103(a) rejection of King in view of Whitehouse does not make a prima facie case of obvious on the independent clais. Applicant also argues the same limitations under the 102 rejection.

In response, the examiner respectfully submits:

The rejections are maintained because the references teach the claimed limitations.

King is relied upon to teach the broad claim language of a method, system, computer usable medium, and system with means for delivering a message to a user with an electronic account. The examiner interprets that applicant has broadly claimed the limitations with little relation between the message and electronic account other than “associated.”

With respect to “receiving the message directed to the user with the electronic account, where the message includes an electronic address associated with the user’s electronic account and a non-standardized physical address of the user from the electronic address using an address database” is taught by King on pages 1 and 2, para 18-23.

King shows a user sending a message to a person with an electronic account (i.e. sending a message to Santa para 20 where santa is the recipient). Santa has an electronic account and physical address to receive the message. The King reference teaches determining recipient’s physical address in para 20 by searching an address database by the USPS for subsequent delivery of the message. The person receiving the message is the addressed person the message is being sent to. The message includes an electronic account, for example the santa’s electronic address or account name and the non-standardized physical address interpreted to be the name of zip code, state or other useful information. Per para 23, King teaches systems that receive and resolve delivery of messages based on incomplete addresses and electronic addresses.

The combination of King and Whitehouse is proper and provides motivation to do so. The King reference fails to teach 9 digit zip codes.

However the Whitehouse reference teaches using a non-standardized physical address includes a 5-digit ZIP code to get a standardized physical address includes a 9 digit ZIP code (Whitehouse: col. 5, lines 67- col. 6, line 5; col. 2, lines 43-49) in order to further identify the destination address (Whitehouse: col. 2, lines 50-60).

It would have been obvious at the time of the invention to one of ordinary skill in the art to create the method for delivering a message as taught by King to include standardizing zip codes with zip+4 codes in order to further identify the destination address.

As claimed, the relationship and actual definition of the message does not distinguish from the claims. Applicant is encouraged to detail the claims. What receives the message? Does the message display the electronic address? Is the electronic address an email address or account name? Applicant has made few meager amendments to clarify the claims.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin R. Bruckart whose telephone number is (571) 272-3982. The examiner can normally be reached on 9:00-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2155

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866217-9197 (toll-free).

Benjamin R Bruckart

Examiner

Art Unit 2155




PHILIP TRAN
PRIMARY EXAMINER